

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DAYLIN PARKER,

Plaintiff,

v.

Case No. 6:19-cv-1571-Orl-37GJK

GREEN MOUNTAIN SPECIALTIES
CORP,

Defendant.

ORDER

Plaintiff sued Defendant for failing to pay overtime wages in violation of the Fair Labor Standards Act (“**FLSA**”). (Doc. 1.) After Defendant failed to respond, Plaintiff obtained a Clerk’s entry of default. (Docs. 13, 14.) Now Plaintiff moves for default judgment against Defendant, seeking: \$840 in liquidated damages under the FLSA, \$462 for court costs, \$4,840 for attorneys’ fees, and pre- and post-judgment interest. (Doc. 23 (“**Motion**”).) On referral, U.S. Magistrate Judge David A. Baker recommends the Court grant the Motion in part and deny it in part because the hourly rate charged by Plaintiff’s attorneys was too high, Plaintiff is only entitled to \$435 in liquidated damages under the FLSA, and pre-judgment interest is not appropriate. (Doc. 24 (“**R&R**”).)

The parties did not object to the R&R, and the time for doing so has now passed. As such, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). Finding no such error, the

Court finds the R&R is due to be adopted in its entirety.

It is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge David A. Baker's Report and Recommendation (Doc. 24) is **ADOPTED, CONFIRMED**, and made a part of this Order.

2. Plaintiff's Renewed Motion for Default Final Judgment (Doc. 23) is **GRANTED IN PART AND DENIED IN PART**:

a. The Court **AWARDS** Plaintiff:

i. Liquidated damages under the FLSA against Defendant in the amount of \$435.00;

ii. Costs against Defendant in the amount of \$462.00;

iii. Attorneys' fees against Defendant in the amount of \$3,630.00; and

iv. Post-judgment interest.

b. In all other respects, the Motion is **DENIED**.

3. The Clerk is **DIRECTED** to enter default judgment in favor of Plaintiff and against Defendant and close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on April 23, 2020.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record